

REMARKS

Favorable reconsideration is respectfully solicited.

Claims 1-12 remain active in the application.

The claims have been amended to recite a perpendicular “line.” With respect to the rejection under 35 U.S.C. § 112, Claims 1 and 11 have been amended to recite that the mounting base is movable about a substantially vertical axis, and Claims 7-10 have been clarified. The rejected claims are otherwise believed to be sufficiently clear to be understood by one skilled in the art in light of the specification, which is the relevant standard under 35 U.S.C. § 112. MPEP 2173.02. With respect to several of the Examiner’s specific objections:

There is no relationship between the inlet and the stationary concave liner or the mantle liner.

Claim 1 recites that the mantle liner comprises first to third tapered surfaces sequentially arranged from the inlet of said crushing chamber in the direction of movement. Claim 11 recites that the concave and mantle liners comprise first to third regions sequentially arranged from the inlet in the direction of movement.

What is the relationship between the first area surface and the first region of Claim 1?

The first area surface is defined as being “at said first region.” A region does not inherently have “an infinite number of area surfaces.” For example, an area of empty space has no surfaces.

There is no definite single direction of movement of the crush material defined in the claim.

Claim 1 recites “the direction of movement of the crush material from an inlet of said crushing chamber to an outlet thereof.”

The direction of the length of the first area surface in Claim 1 is not defined.

Claim 1 recites “a first area surface at said first region and having a length of T to $\sqrt{2}T$ in the direction of movement of the crush material from an inlet of said crushing chamber to an outlet thereof.”

The “horizontal plane” in Claims 1 and 11 has no antecedent basis.

Since Claims 1 and 11 recite a vertical axis, a horizontal plane is inherent and perpendicular to that axis.

What is the relationship between the first and second regions of Claim 1, and the inlet sides thereof?

As one skilled in the art would understand, the inlet side of the respective regions is the side closest to the inlet.

The stationary liner is not concave.

The liner 2 in Fig. 1 forms a concavity in which the movable liner is positioned.

Claims 1-12 have again been rejected under 35 U.S.C. § 102 as being anticipated by Savolainen. The basis for this rejection is unclear, and is incorrect at best. On the one hand, the Examiner states (p. 6) that “many different angles can be found in the first crushing head...and the second crushing head” of the reference. On the other hand, the Examiner also states that the numerical parameters are indefinite and have been ignored (p. 7, last ¶). As to

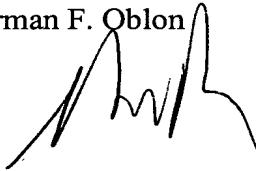
the first point, the Examiner has evidently based this conclusion on the incorrect assumption that any region inherently has “an infinite number of area surfaces.” As to the second point, the Examiner cannot ignore claim limitations simply by characterizing them as indefinite. MPEP 2143.03. In any case, the Examiner has not identified how Savolainen discloses all of the claim limitations and so has not set forth a *prima facie* case of anticipation by Savolainen.

Applicants therefore believe that the present application is in condition for allowance and respectfully solicits an early notice of allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon



Robert T. Pous
Attorney of Record
Registration No. 29,099

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

RTP/law